ORDINANCE NO. 258

AN ORDINANCE ADOPTING THE FIRE PREVENTION CODE, 1970 EDITION, INCLUDING APPENDIX A, B AND C THEREOF, AND PROVIDING FOR AMENDMENTS ADDITIONS AND DELETIONS TO SAID CODE.

The Board of Supervisors of the County of Solano, State of California, do ordain as follows:

SECTION 1. Sections 12-24 through 12-26 of Article III of Chapter 12, of the Code of Solano County, are amended to read as follows:

Article III. Fire Prevention Code


There is hereby adopted the code of rules and regulations known and designated as the "Fire Prevention Code", 1970 edition, including Appendix A to C, inclusive, thereof, recommended by the American Insurance Association, for the unincorporated territory of the county, prescribing regulations governing conditions hazardous to life and property from fire or explosion, defining terms and providing for the issuance of permits, printed in book form, of which code not less than three certified copies were filed in the office of the county clerk of the county on January 27, 1971, and the same is hereby adopted, and by reference incorporated herein as if fully set forth, except as otherwise provided in this article.

Sec. 12-25. Definitions.

Wherever any of the following terms are used in the Fire Prevention Code adopted by this article, each such term shall be deemed and construed to have the meaning ascribed to it in this section, as follows, to wit:

Chief of the fire department. The chief of the applicable fire protection district within the county.
Chief of the bureau of fire prevention. The County fire
warden.

Corporation counsel. The district attorney or county
counsel.

Municipality. The county or the unincorporated territory
of the county.

Police department. The sheriff's department.

Sec. 12-26. Amendments, additions and deletions.

The Fire Prevention Code adopted by this article is changed
by the following amendments, deletions and additions:

(a) Section 1.6a, Service of Orders, is revised to read
as follows:

"The service of orders for the corrections of violations
of this code shall be made upon the owner, occupant or other
person responsible for the conditions either by delivering a
copy of the same to such person or by delivering the same
to and leaving it with any person in charge of the premises,
or in case no such person is found upon the premises, by
affixing a copy thereof in a conspicuous place on the door to
the entrance of the premises. Whenever it may be necessary
to serve such an order upon the owner of premises, such order
may be served either by delivering to and leaving with the
person a copy of the order, or, if there is reasonable cause
to believe such owner is absent from the jurisdiction of the
officer making the order, by sending such copy by registered
or certified mail to the owner's last known office address."

(b) Section 3.4 Burning Operations, is deleted.

(c) Section 12.5b, General Requirements, is revised to
read as follows:

"The storage of explosives and blasting agents is prohibited
within the unincorporated territory of the county, except in
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those areas expressly zoned for such purposes under the provisions of chapter 28 of the Code of Solano County, or in those areas where a use permit has been granted under the provisions of such chapter, and except for temporary storage for use in connection with approved blasting operations; provided, that this prohibition shall not apply to wholesale and retail stocks of small arms ammunition, fuses, lighters, fuse igniters and safety fuses, not including cordage detonant fuses, in quantities involving less than five hundred pounds of explosive material; nor shall it apply to explosive-actuated power devices, when employed in construction operations in highly populated areas in quantities involving less than fifty pounds of explosive material."

(d) Article 13, Fireworks, is deleted.

(e) Section 14.2A is added, as follows:

"Section 14.2A. FIRE EXTINGUISHERS REQUIRED.

Each apartment house, rooming house or motel shall have a minimum of one 2-ABC rated fire extinguisher with additional fire extinguishers as required by the Fire Prevention Bureau or the Fire Chief."

(f) Section 16.22a, Installation of Outside Aboveground Tanks, is revised to read as follows:

"Restricted Locations: The storage of Class I liquids in aboveground tanks outside of buildings is prohibited within the unincorporated territory of the county, except in those areas expressly zoned for such purpose under the provisions of chapter 28 of the Code of Solano County, or in those areas where a use permit has been granted under the provisions of such chapter."

(g) Section 16.61, Location of Plants, is revised to read as follows:

"No new bulk plants for flammable or combustible liquids"
shall be constructed within the unincorporated territory of the county, except in those areas expressly zoned for such plants under the provisions of chapter 28 of the Code of Solano County, or in those areas where a use permit has been granted under the provisions of such chapter."

(h) Section 16.997 is added to read as follows:

"Section 16.997 ASPHALT KETTLES:

It shall be unlawful to transport or permit to be transported any asphalt kettle beneath which is maintained any open fire, heated coals, or ashes over any highway, road, or street. Asphalt kettles shall not be used inside or on the roof of any building."

(i) Section 16.998 is added to read as follows:

"Section 16.998. PORTABLE EXTINGUISHER REQUIRED.
At least one portable fire extinguisher with a rating of 16 B-C shall be provided on each roof being covered with asphalt."

(j) Section 21.6a, Location of Containers, is revised to read as follows:

"The bulk storage of liquified petroleum gas is prohibited within the unincorporated territory of the county, except in those areas where a use permit has been granted under the provisions of such chapter. The aggregate capacity of any one installation for the bulk storage of liquified petroleum gas shall not exceed two thousand gallons water capacity; except, that in particular installations this capacity limit may be altered at the discretion of the chief of the bureau of fire prevention after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided and facilities of the local fire department."

(k) Section 28.17 is added to read as follows:
"Section 28.17 HYDRANTS & ACCESS REQUIRED

When fire hydrants are required by the Fire Department they shall be installed and paved access to them provided before any combustible structures are erected in the area."

(1) Section 28.18 is added to read as follows:

"Section 28.18. CLOSURE OF FIRE ROADS, PARKING THEREON

a. The Chief may install one or more gates, cables or other barricades, and securely lock the same to prevent the use by unauthorized persons of any road, trail or fire lane that is not a public highway and over which the Fire Department has the right to pass, whether by easement, license, municipal ownership, or otherwise, for purposes relating to fire prevention or control, provided such action does not preclude the authorized users of such road or trail from using the same.

b. No person, except a public officer acting within the scope of his public duties, shall trespass upon any road, trail, or fire lane which has been closed and obstructed in the manner authorized by this Section without the express permission of the Chief; nor shall any person park any vehicle so as to obstruct the entrance to such road, trail or fire lane.

(m) Section 28.19 is added to read as follows:

"Section 28.19 REDUCTION OF FIRE HAZARDS AROUND BUILDINGS

Any person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area or forest-covered lands, brush-covered lands, or grass-covered lands, or any land which is covered with flammable material, shall at all times do all of the following:

(a) Maintain around and adjacent to such building or structure a firebreak made by removing and clearing away, for a distance of not less than 30 feet on each side thereof or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This subdivision does not apply
to single specimens of trees, ornamental shrubbery, or similar
plants which are used as ground cover, if they do not form a
means of rapidly transmitting fire from the native growth to any
building or structure.

(b) Maintain around and adjacent to any such building or
structure additional fire protection or firebreak made by
removing all brush, flammable vegetation, or combustible growth
which is located from 30 feet to 100 feet from such building or
structure or to the property line, whichever is nearest, as may
be required by the County Fire Warden if he finds that, because
of extra hazardous conditions, a firebreak of only 30 feet
around such building or structure is not sufficient to provide
reasonable fire safety. Grass and other vegetation located
more than 30 feet from such building or structure and less
than 18 inches in height above the ground may be maintained where
necessary to stabilize the soil and prevent erosion.

(c) Remove that portion of any tree which extends within 10
feet of the outlet of any chimney or stovepipe.

(d) Maintain any tree adjacent to or overhanging any
building free of dead or dying wood.

(e) Maintain the roof of any structure free of leaves,
needles, or other dead vegetative growth.

(f) Provide and maintain at all times a screen over the
outlet of every chimney or stovepipe that is attached to any
fireplace, stove, or other device that burns any solid or
liquid fuel. The screen shall be constructed of nonflammable
material with openings of not more than one-half inch in
size.

(g) The County Fire Warden may adopt regulations exempting
structures with exteriors constructed entirely of nonflammable
materials, or conditioned upon the contents and composition of
same, he may vary the requirements respecting the removing or
clearing away of flammable vegetation or other combustible
growth with respect to the area surrounding said structures.

No such exemption or variance shall apply unless and until the occupant thereof, or if there be no occupant, then the owner thereof, files with the County Fire Warden, in such form as the County Fire Warden shall prescribe, a written consent to the inspection of the interior and contents of such structure to ascertain whether the provisions hereof and the regulations adopted hereunder are complied with at all times.

(n) Section 28.20 is added to read as follows:

"Section 28.20 FIRE RETARDANT ROOF REQUIRED ON STRUCTURES

No person shall hereafter erect, construct, enlarge or add to any cabin, house, hotel, or other building or structure upon any mountainous or forest covered land, or land covered with flammable growth, unless such building is provided with a fire retardant roof covering as specified in Section 3203 (e) of the Uniform Building Code.

SECTION 2. If any section, subsection, sentence, clause, and/or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

The Board of Supervisors of the County of Solano hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

SECTION 3. This ordinance shall be published once before the expiration of fifteen (15) days after its passage in the Times Herald, a newspaper of general circulation, printed and published in the County of Solano and shall be in full
force and effect thirty (30) days after its passage.

WALLACE L. BRAZELTON, Chairman
Board of Supervisors of the
County of Solano, State of California.

ATTEST:

NEIL CRAWFORD, County Clerk
and ex-officio Clerk of said
Board of Supervisors

By
Deputy Clerk

I, NEIL CRAWFORD, County Clerk and ex-officio
Clerk of the Board of Supervisors of the County of Solano,
State of California, hereby certify that the above and foregoing
Ordinance was regularly introduced, passed and adopted at a
regular meeting of said Board on the 19th day of January,
1971, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

WITNESS my hand and the Official Seal of this Board
this 19th day of January, 1971.

NEIL CRAWFORD, County Clerk

By
Deputy Clerk